

THIRTEENTH DAY.

Senate Chamber,
Austin, Texas,
September 14, 1932.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Holbrook.	Rawlings.
Parr.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Gainer.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Williamson:

S. B. No. 43, A bill to be entitled "An Act limiting the compensation of precinct, county or district, officers to \$6,000.00 per year, providing for an accounting of fees and other compensation, repealing conflicting laws, fixing effective date of bill, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senators DeBerry, Oneal, Rawlings, Woodward, Small, Loy, Berkeley, Moore, Hardin:

S. B. No. 44, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes due the State, any county, special school district, school district, road district, levee improvement district,

water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State. Also cities, towns and villages, provided said taxes are paid on or before December 31, 1932; and providing further that the provisions of this Act releasing interest and penalties shall not apply to cities, towns, and villages unless and until the governing body thereof finds that unusual or excessive defaults in the payment of taxes have occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body by resolution, or ordinance, evidencing such finding and recording the same shall have the authority to put in force and effect the provisions hereof as to such cities, towns, and villages; suspending all laws and parts of laws in conflict herewith during the term this Act is in force; and providing further that, if any section, clause, sentence, paragraph, or part of the Act is adjudged to be invalid by any court of final or competent jurisdiction, such judgment shall not effect, impair, or invalidate the remainder of this Act, repealing S. B. No. 3, passed at the Third Called Session of the Forty-second Legislature, and declaring an emergency, and providing that this Act shall take effect and be in force from and after its passage."

Read and referred to Committee on State Affairs.

By Senator Greer:

S. B. No. 45, A bill to be entitled "An Act granting permission to E. A. Eliot and wife, Mrs. Hattie Eliot, to sue and maintain a suit against the State Highway Commission as such and the State of Texas and members of the State Highway Commission for damages to their land and crops which they claim by virtue of the construction of State Highway No. 32 and Federal Highway No. 75, which runs between the town of Angus and the town of Richland, on plaintiffs' property, which they claim is damaged and the crops thereon being situated east of said road, and for which suit has been brought in the District Court of Navarro County, Texas, the original petition having been

filed on September 12, 1931; and providing for the payment of any judgment which may be recovered against the Highway Commission as such, or the State of Texas in said suit; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Greer:

S. B. No. 46, A bill to be entitled "An Act granting permission to J. F. Bentley of Navarro County, Texas, to sue and maintain a suit against the State Highway Commission as such and the State of Texas and members of the State Highway Commission for damages for killing two mules and injury to wagon and harness and personal injuries which he claims to have sustained on a State highway of the State of Texas running through Navarro County, and which occurred on or about February 8, 1932. The injuries alleged to have occurred about one mile west of Richland Creek on the highway from Corcicana to Waco, and being known as State Highway No. 31. Said suit not yet having been filed; and providing for the payment of any judgment which may be recovered against said State Highway Commission of Texas as such, or the State of Texas in said suit; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Greer:

S. B. No. 47, A bill to be entitled "An Act granting W. F. Sewell and his wife, Mrs. Irma Sewell, and J. C. Lewis to sue and maintain a suit against the State Highway Commission as such and the State of Texas and members of the State Highway Commission for damages to their land and crops which they claim by virtue of the construction of State Highway No. 32 and Federal Highway No. 75 which runs between the town of Angus and the town of Richland, over the property of said W. F. Sewell and wife, and which they claim is damaging said property and the crops thereon situated, said road running through said property. Which suit has been brought in the District Court of Navarro County, Texas, the original petition having been filed on September 21, 1931, and providing for any judgment which may be recovered against the Highway Commis-

sion as such, or the State of Texas in said suit; and declaring an emergency."

Read and referred to Committee on State Affairs.

S. C. R. No. 9.

Senator Martin sent up the following resolution:

Whereas, On August 8, 1932, the United States Department of Agriculture, through its Crop Reporting Service, published an estimate of the 1932 cotton crop as 11,306,000 bales, which estimate was based on crop conditions obtaining on August 1, 1932; this same authority on September 8, 1932, estimated the yield of the 1932 cotton crop at 11,310,000 bales, thereby reflecting the condition of the United States cotton crop as of September 1, 1932; and

Whereas, The forecast of September 8, 1932, indicated an increase in production of only 4000 bales—an insignificant amount in world trade—and was in effect a confirmation of the August 8th crop forecast; and

Whereas, The forecast of the Crop Reporting Branch of the United States Department of Agriculture indicates the United States cotton production for the year 1932 as being 5,786,000 bales less than the 1931 crop and 3,348,000 bales less than the average production of the last five years; and

Whereas, The August textile statistics show sales of cotton goods during the month of August to have reached 282 per cent of production of textiles manufactured during the month of August and that unfilled orders were 113 per cent larger than for July, 1932, which report shows a very healthy condition for the textile industry; and

Whereas, The comparably small United States cotton crop of 11,306,000 as forecast by the United States Department of Agriculture on August 8, 1932, together with the increased consumption of cotton, acted as a stimulant of confidence and as a sound and fundamental basis for substantial increase in the market price of cotton, which, if maintained and applied on the carry over of cotton from the previous crop and the prospective production of 1932, would have placed more than \$200,000,000 in the arteries of trade at

a time when confidence and vigor in the stabilization of business of America is so vital; but

Whereas, Vicious and unwarranted manipulation, indulged in by operators on the New York, New Orleans, and Chicago Cotton Exchanges, acting in total disregard of supply and demand, improved conditions in textile industries, and increased consumption of American cotton, did take advantage of the Government forecast as of September 8th, increasing its estimate a mere 4000 bales, and arbitrarily forced down the price of cotton more than 2 cents per pound or \$10.00 per bale, and

Whereas, This unjust manipulation by operators on the New York, New Orleans, and Chicago Cotton Exchanges has deprived the cotton growers of more than \$100,000,000, which, by the law of supply and demand, as based on conditions of the cotton textile industries and consumption, is justly theirs, and has reduced the ability of cotton growers to meet their obligations in support of their Government and schools, to provide the necessities for their families, and to support business in general, all of which causes unwarranted losses and suffering not only to the cotton growers but to practically all essential industries of the United States, and further adds to the unemployment situation; therefore, be it

Resolved by the House of Representatives, the Senate concurring, that the vicious and malicious market manipulation, which has robbed the cotton growers of hundreds of millions of dollars, be strongly denounced and condemned as wholly unethical, uneconomical, and unfair to both cotton growers and all legitimate business in this State and Nation; and be it further

Resolved, That the Secretary of the United States Department of Agriculture and the Congress of the United States be and are hereby memorialized to take such definite steps as necessary to properly regulate and control the operation of cotton exchanges in such manner as to prevent any reoccurrence of such unwholesome demoralization and malicious destruction of values of one of our Nation's basic commodities and of all agricultural products

which are the basis of this Nation's wealth; and, be it further

Resolved, That the Secretary of the Senate be directed to transmit a copy of this resolution to the Secretary of the United States Department of Agriculture, to both Houses of the Congress of the United States, and to the President of the United States.

MARTIN.

BECK.

The resolution was read.

On motion of Senator Martin, the resolution was laid on the table, subject to call.

Senate Simple Resolution No. 17.

Senator Pollard sent up the following resolution:

Whereas, Hon Knox L. Garvin, a member of the State Senate of Oklahoma, is within the Senate; therefore, be it

Resolved, That he be invited to address the Senate and be accorded the privileges of the Senate.

POLLARD.

BECK.

WOODWARD.

Read and adopted.

Mr. Gorvin Speaks.

The Chair appointed Senators Pollard, Beck, and Woodul to escort Mr. Gorvin to the platform.

The Chair introduced Senator Pollard, who introduced Mr. Gorvin.

Mr. Gorvin briefly addressed the Senate.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the followings bills:

H. B. No. 62, A bill to be entitled "An Act providing for relief of Needville Independent School District of Fort Bend County in order to aid the school district in rebuilding and repairing its school destroyed by the hurricane which covered the territory in which this district is located on August 13, 1932; making an appropriation to said district for said purposes, and declaring an emergency."

S. B. No. 36, A bill to be entitled "An Act providing for the issuance of a permit for the propagation of wild pheasants and the sale of same; providing necessary regulations and penalty for the violation of this Act and declaring an emergency."

(With amendment.)

S. B. No. 23, A bill to be entitled "An Act creating the Special District Court of Upshur County and Smith County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation for the same, prescribing his powers and duties; providing for the transfer of cases from the Seventh Judicial District Court to said Special District Court and from said Special District Court to the Court of the Seventh Judicial District; providing for the District Clerks of Upshur and Smith Counties and their successors in office to be the Clerks for said Special District Court in their respective counties; providing that the District Attorney of the Seventh Judicial District shall represent the State in said Special District Court, and making it the duty of the County Attorneys of Upshur and Smith Counties to represent the State without extra compensation in said Special District Court and from said Special District Court in their respective counties in the absence of the District Attorney or when he is for any reason unable to do so; providing a seal for said Special District Court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions; and declaring an emergency."

H. B. No. 5, A bill to be entitled "An Act authorizing any corporation organized under and by virtue of the laws of the State of Texas to purchase such stock in any bank organized under and by virtue of the 'Federal Home Loan Bank Act' as may be necessary in order to become a member thereof and/or become a borrower therefrom, and declaring an emergency."

H. B. No. 87, A bill to be entitled "An Act making an appropriation of the sum of Fifty Thousand Dollars (\$50,000), or so much thereof as may be necessary, out of the General Revenues, to pay the per diem and

mileage of members, the per diem of officers and employees and the contingent expenses of the Third Called Session of the Forty-second Legislature of the State of Texas, convened on the thirtieth day of August, 1932, by proclamation of the Governor; to supplement the like appropriation of the Regular Session, First, and Second Called Sessions of said Legislature; to pay any unpaid vouchers or warrants held by members, officers, or employees of the Regular Session, First and Second Called Sessions of said Legislature, etc.; and declaring an emergency."

Respectfully submitted.

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Sept. 14, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 8, Providing for sine die adjournment of the Third Called Session of the Forty-second Legislature on Friday, September 16, 1932, at 12 o'clock noon.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Sept. 14, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolution:

S. C. R. No. 8, Designating the week of March 2nd as "Texas Week."

S. B. No. 8, A bill to be entitled "An Act authorizing and empowering building and loan associations, savings and loan associations, co-operative banks, homestead associations, insurance companies, and savings banks, organized or incorporated under the laws of the State of Texas, to subscribe for, and invest their funds in, the stock of the Federal Home Loan Bank, of which it may be eligible to become a member, in compliance with the provisions of the Act of Congress known

and cited as the 'Federal Home Loan Bank Act'; and declaring an emergency."

(With amendment.)

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bills Referred.

H. B. No. 62, referred to Committee on Finance.

H. B. No. 5, referred to Committee on Finance.

H. B. No. 87, referred to Committee on Finance.

Senators Excused.

On motion of Senator Hornsby, Senators Parr, Hopkins, and Rawlings were excused for Monday, Tuesday, and Wednesday of this week, on account of important business.

Motion to Concur.

Senator Woodruff moved to concur in the House amendment to S. B. No. 36. The motion prevailed by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolution:

S. B. No. 12.	S. B. No. 28.
S. B. No. 16.	S. B. No. 8.
S. B. No. 17.	S. B. No. 36.
S. B. No. 18.	S. C. R. No. 8.
S. B. No. 19.	S. B. No. 23.
S. B. No. 22.	H. B. No. 62.

House Bill No. 62.

The Chair laid before the Senate, by unanimous consent, the following bill:

By Mr. Gilbert:

H. B. No. 62, A bill to be entitled "An Act providing for relief of Needville Independent School District of Fort Bend County in order to aid the school district in rebuilding and repairing its school destroyed by the hurricane which covered the territory in which this district is located on August 13, 1932; making an appropriation to said district for said purposes, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report was adopted.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 62 was put on its second reading by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

The bill was read second time and passed to third reading.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 62 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Greer.
Cunningham.	Hardin.

Holbrook.	Pollard.
Hornsby.	Purl.
Loy.	Russek.
Martin.	Small.
Moore.	Stevenson.
Neal.	Thomason.
Oneal.	Williamson.
Parrish.	Woodruff.
Patton.	Woodul.
Poage.	Woodward.

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	

Nays—5.

DeBerry.	Woodruff.
Oneal.	Woodward.
Poage.	

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

Senate Simple Resolution No. 20.

Senator Purl sent up the following resolution:

Whereas, Little Jack Carter Massey, a five (5) year old child prodigy of Dallas, Texas, is in the Senate Chamber; therefore, be it

Resolved, That he be invited to the platform for presentation to the Senate of Texas.

PURL.
WILLIAMSON.

Read and adopted.

Jack Carter Massey Speaks.

The Chair appointed Senators Purl and Williamson to escort Jack Carter Massey and his father to the platform.

The Chair introduced Mr. Massey and his son.

Jack Carter Massey addressed the Senate.

Senate Simple Resolution No. 21.

Senator Small sent up the following resolution:

Whereas, The press of the Nation carries the glad tidings of the sweeping Democratic victory in the State of Maine and thereby adds further confirmation to the foregone conclusion that a National Democratic victory in November is now imminent; therefore, be it

Resolved by the Senate of Texas, That we congratulate the people of the great State of Maine for having again taken the reins of government from the hands of special privilege and having pointed the way by which the people of the Nation may pass from political chaos to political peace and may again take charge of our national government and administer its affairs in the interests of the masses of humanity, who have been so greatly oppressed by Republican leadership; be it further

Resolved, That we officially convey to the newly elected Governor and Democratic Congressman our very best wishes and most sanguine felicitation, and that we pledge them our most earnest cooperation in the fight for a National Democratic victory to which the State of Maine has already made a most substantial contribution; be it further

Resolved, That a copy of this resolution be sent to the Honorable Louis J. Brann, Governor elect, and to Honorable Edward C. Moran, Jr., and the Honorable John C. Utterback, Congressmen elect, and that the resolution be printed in the Journal.

SMALL.	MARTIN,
BERKELEY,	NEAL,
WOODWARD,	ONEAL,
MOORE,	PARR,
RUSSEK,	PARRISH,
GAINER,	PATTON,
HORNSBY,	POAGE,
BECK,	POLLARD,
COUSINS,	PURL,
CUNNINGHAM,	RAWLINGS,
DeBERRY,	STEVENSON,
GREER,	THOMASON,
HARDIN,	WILLIAMSON,
HOLBROOK,	WOODRUFF,
HOPKINS,	WOODUL.
LOY,	

Read and adopted.

Motion to Excuse Senate Pages.

Senator Moore moved to excuse the Senate pages at 4:30 o'clock p. m., for a football game between the House and Senate pages. The motion prevailed.

Motion to Concur.

On motion of Senator Greer, the Senate concurred in the House amendment to S. B. No. 8, by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

S. C. R. No. 9.

Senator Martin called up from the table:

S. C. R. No. 9, Relating to cotton price manipulation by cotton exchanges.

The resolution was adopted by the following vote:

Yeas—21.

Beck.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodward.
Oneal.	

Nays—4.

Holbrook.	Woodruff.
Purl.	Woodul.

Present—Not Voting.

Berkeley.

Absent.

Cousins.	Cunningham.
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Absent—Excused.

Hopkins.	Rawlings.
Parr.	

Senate Bill No. 39.

The Chair laid before the Senate on its third reading the following bill:

By Senator Neal:

S. B. No. 39, A bill to be entitled "An Act creating the Special District Court of Rusk and Gregg Counties, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor, prescribing his powers and duties, providing for the transfer of cases from the 4th Judicial District of Rusk County and from the 124th Judicial District of Gregg County; and from the Special District Court to the 4th Judicial District of Rusk County and the 124th Judicial District of Gregg County; providing for the District Clerks of Rusk and of Gregg Counties and their successors in office, to be the clerks for said special district court in their respective counties; providing that the District Attorney of the District Court of Rusk County and the District Attorney of Gregg County, shall represent the State in said special district court in their respective counties, without extra compensation from said special district court in their respective counties; providing a seal for said special district court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions, and declaring an emergency."

Read third time and laid on the table subject to call, on motion of Senator Pollard.

Recess.

On motion of Senator Woodward, the Senate, at 11:56 o'clock a. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock, pursuant to recess, and was called to

order by Lieutenant Governor Edgar E. Witt.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 55, A bill to be entitled "An Act authorizing any county, political subdivision or defined district thereof to hold an election for the purpose of the cancellation and revocation of any unsold road bonds, and providing that such election shall be ordered and held in the same form and manner provided for in voting such road bonds; providing for the cancellation and destruction of such unsold road bonds retired by reason of such election, and the adjustment of existing tax levies and refund of any taxes levied and collected in anticipation of the sale of such road bonds," etc.

H. B. No. 56, A bill to be entitled "An Act to amend Articles 1111, 1112 and 1113 of the Revised Civil Statutes of Texas for 1925 and amendments thereof as passed by the Fortieth Legislature, found in Chapter No. 194, page 276, of the Acts of the Regular Session of the Fortieth Legislature, pertaining to the encumbrance of lighting systems, water systems and sewer systems and income thereof by cities and towns and 'Home Rule' cities; to secure payment of funds for the building and purchasing of improvement thereof, including therein the power to build and encumber natural gas systems and the income thereof for said purposes so that such obligations shall never be a debt upon such cities or towns, and declaring an emergency."

H. B. No. 61, A bill to be entitled "An Act amending Article 2676 of the Revised Civil Statutes of Texas, 1925, relative to the election of county school trustees by providing that one of said trustees shall be elected from the county at large by the qualified voters of the common and consolidated independent school districts of the county; providing that the terms of this Act shall apply to all counties having not less than ten thousand, two hundred and sixty-

two (10,262) and not more than ten thousand, three hundred and forty-nine (10,349) inhabitants by the last preceding Federal census, and declaring an emergency."

H. B. No. 81, A bill to be entitled "An Act providing that navigation districts organized under the provisions of Section 59 of Article 16 of the Constitution and of Chapter 5 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session, and Acts amendatory thereof or created, and organized, existing or doing business under a local or special law, and which have voted bonds but have not issued or otherwise finally disposed of same, and all navigation districts which may hereafter be organized hereunder are made self-liquidating in character and self-supporting and may return the construction cost thereof by means of tolls, rents, fees, assessments or other charges or by mortgaging their physical properties; providing for the method and manner or organization of each district, and establishing their boundaries, etc., and declaring an emergency."

S. B. No. 9, A bill to be entitled "An Act to amend Sections 20, 27, 38, 44, 47 and 48 and to add a new section thereto, to be known as Section 21a, of an Act entitled 'An Act defining Building and Loan Association, providing for their incorporation and prescribing the terms, conditions and regulations upon which such companies may carry on their business in Texas, providing that shareholders shall not be disqualified to take acknowledgements; validating such previous acknowledgments by shareholders; prescribing the terms and conditions upon which foreign building and loan associations may carry on their business in Texas, prescribing penalties for violation of the provisions of the Act, repealing Acts and parts of Acts in conflict herewith, and declaring an emergency' enacted by the Second Called Session of the 41st Legislature of the State of Texas, and being Senate Bill No. 111, Chapter 61, and published at length in the General Laws of the Second and Third Sessions of the 41st Legislature at pages 100 to 129; providing for keeping secret facts regarding building and loan associations by certain officers and employees; pro-

viding that certain information may be given to the Federal Home Loan Bank Board; providing for the reorganization of building and loan associations; providing certain restrictions on building and loan associations taking, holding and conveying real estate; providing for the investment of the funds of building and loan associations; providing the power of associations to borrow money; providing for the withdrawal of funds by investing the withdrawal value of shares of stock in building and loan associations; authorizing domestic building and loan associations to become members of a Federal Home Loan Bank; providing for domestic building and loan associations to receive the benefits of the Federal Home Loan Bank Act; and declaring an emergency."

(With amendment.)

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bills Referred.

H. B. No. 55, referred to Committee on State Affairs.

H. B. No. 56, referred to Committee on State Affairs.

H. B. No. 61, referred to Committee on Educational Affairs.

H. B. No. 81, referred to Committee on State Affairs.

Senate Bill No. 39.

On motion of Senator Neal, S. B. No. 39 was laid on the table, subject to call.

At Ease.

At 2:05, the Senate stood at ease for 10 minutes by unanimous consent.

Senate Bill No. 44.

The Chair laid before the Senate, by unanimous consent, the following bill:

By Senator DeBerry, et al.:

S. B. No. 44, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes due the State, etc.; and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by unanimous consent.

On motion of Senator DeBerry, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 44 was put on its second reading by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

The committee report was adopted. The bill was read second time and passed to engrossment.

On motion of Senator DeBerry, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 44 was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Cousins.
Berkeley.	Cunningham.

DeBerry.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Purl.
Holbrook.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodruff.
Oneal.	Woodul.
Parrish.	Woodward.

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

Conference Committee Report.

Senator Poage sent up the following conference committee report:

Committee Room,
Austin, Texas, Sept. 14, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your conferees, appointed on the part of the Senate to adjust the differences between the two Houses upon House Bill No. 2, beg leave to report that we have agreed with the conferees on the part of the House as to all features of House Bill No. 2, save and except the question of the inclusion of bonds and warrants issued for the procurement of rights-of-way in the list of obligations eligible for payment by the State. On this point we have been unable to agree, and your conferees request that they be discharged, and that new conferees be appointed, and instructed as to the will of the Senate on this matter.

POAGE.
WOODRUFF.
ONEAL.
LOY.
SMALL.

The report was read.

Senator Poage moved to adopt the report.

Senator Purl moved, as a substitute, to reject the report.

The Chair, Lieutenant Governor Edgar E. Witt, held that the substitute motion was out of order, because it was the exact reverse of the previous motion and therefore could be accomplished by voting down the previous motion.

Senator DeBerry called for a division of the question.

Senator Purl moved to table the first part of the report, asking for the discharge of the committee.

The motion prevailed.

The second part of the report asking for the committee to be instructed was adopted by the following vote:

Yeas—15.

Cousins.	Neal.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Stevenson.
Hardin.	Williamson.
Holbrook.	Woodul.
Hornsby.	Woodward.
Moore.	

Nays—3.

Berkeley.	Thomason.
Purl.	

Present—Not Voting.

Loy.	Small.
Oneal.	Woodruff.
Poage.	

Absent.

Martin.	Pollard.
Parrish.	

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

(Pair Recorded.)

Senator Beck (present) who would vote yea, with Senator Cunningham (absent) who would vote nay.

Senator Moore sent up the following written motion:

I move that the Conferees of the Senate appointed on H. B. No. 2 be and they are hereby instructed to recede from the position of the Senate to pay for rights-of-way and said committee is so instructed.

MOORE.

The motion was read.

Senator Hornsby sent up the following substitute motion:

Be it Resolved, That the conferees on the part of the Senate be and they are hereby instructed not to recede from the position of the Senate heretofore evidenced by vote on the question of inclusion of expenditures for right-of-way in the list of obligations eligible for State payment.

HORNSBY.

PURL.

The substitute was read and lost by the following vote:

Yeas—10.

Gainer.	Poage.
Greer.	Pollard.
Hornsby.	Purl.
Loy.	Stevenson.
Patton.	Woodruff.

Nays—11.

DeBerry.	Russek.
Hardin.	Thomason.
Holbrook.	Williamson.
Moore.	Woodul.
Oneal.	Woodward.

Absent.

Berkeley.	Neal.
Martin.	

Absent—Excused.

Parr.	Rawlings.
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(Pairs Recorded.)

Senator Beck (present) who would vote nay, with Senator Cunningham (absent) who would vote yea.

Senator Cousins (present) who would vote nay, with Senator Hopkins (absent) who would vote yea.

Senator Small (present) who would vote nay, with Senator Parrish (absent) who would vote yea.

The motion by Senator Moore was adopted by the following vote:

Yeas—12.

Berkeley.	Oneal.
Cousins.	Russek.
DeBerry.	Thomason.
Hardin.	Williamson.
Holbrook.	Woodul.
Moore.	Woodward.

Nays—9.

Gainer.	Pollard.
Greer.	Purl.
Hornsby.	Stevenson.
Loy.	Woodruff.
Poage.	

Absent.

Martin.	Patton.
Neal.	

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

(Pairs Recorded.)

Senator Beck (present) who would vote yea, with Senator Cunningham (absent) who would vote nay.

Senator Small (present) who would vote yea, with Senator Parrish (absent) who would vote nay.

Senator Purl sent up the following written motion:

Be it Resolved, That Conferees on the part of the Senate be instructed to provide in the bill that the procurement of rights-of-way be mandatory without State aid.

PURL.

Read and lost by the following vote:

Yeas—8.

Hardin.	Poage.
Hornsby.	Pollard.
Loy.	Purl.
Moore.	Small.

Nays—14.

Berkeley.	Russek.
Cousins.	Stevenson.
DeBerry.	Thomason.
Greer.	Williamson.
Holbrook.	Woodruff.
Oneal.	Woodul.
Patton.	Woodward.

Absent.

Gainer.	Neal.
Martin.	Parrish.

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

(Pair Recorded.)

Senator Beck (present) who would vote nay, with Senator Cunningham (absent) who would vote yea.

Motion to Concur.

Senator Purl moved to concur in House amendment to S. B. No. 9. The motion prevailed by the following vote:

Yeas—26.

Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Beck.

Martin.

Absent—Excused.Hopkins.
Parr.

Rawlings.

House Bill No. 53.

The Chair laid before the Senate, by unanimous consent, the following bill:

By Mr. Anderson, Mr. Kayton and Mr. Reader:

H. B. No. 53, A bill to be entitled "An Act to amend Chapter 137 of the Special Laws of Texas, Regular Session of the Forty-second Legislature, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report was adopted.

The committee substitute was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Williamson, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 53 was put on its third reading and final passage, by the following vote:

Yea—25.

Beck.	Patton.
Berkeley.	Poage.
Cousins.	Pollard.
DeBerry.	Purl.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent.Cunningham. Parrish.
Martin.**Absent—Excused.**Hopkins. Rawlings.
Parr.

Read third time and finally passed by the following vote:

Yeas—26.Beck. Cousins.
Berkeley. DeBerry.Gainer.
Greer.
Hardin.
Holbrook.
Hornsby.
Loy.
Martin.
Moore.
Neal.
Oneal.
Patton.Poage.
Pollard.
Purl.
Russek.
Small.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodul.
Woodward.**Absent.**

Cunningham. Parrish.

Absent—Excused.Hopkins. Rawlings.
Parr.

Senators Poage and Loy Resign From Conference Committee on House Bill No. 2.

Senator Poage announced his resignation from the Conference Committee on H. B. No. 2.

Senator Loy announced his resignation from the Conference Committee on H. B. No. 2.

The Chair appointed Senators Woodward and Moore on the committee.

Senate Bill No. 39.

Senator Neal called up from the table S. B. No. 39.

The bill was finally passed by the following vote:

Yea—21.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Pollard.
Cunningham.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Williamson.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Nays—4.DeBerry. Poage.
Hornsby. Woodruff.**Present—Not Voting.**

Loy.

Absent.

Martin. Purl.

Absent—Excused.

Hopkins. Rawlings.
Parr.

Reason for Vote.

I vote yea on Senate Bill No. 39 for the reason that I am convinced that this temporary court is badly needed in the two counties it covers. I came to this conclusion from the information given me that I consider entirely reliable.

ONEAL.

H. C. R. No. 8.

The Chair laid before the Senate: H. C. R. No. 8, Fixing sine die adjournment for Friday noon of this week.

The resolution was read.

Senator Woodruff moved to lay the resolution on the table, subject to call. The motion prevailed by the following vote:

Yeas—19.

Berkeley.	Poage.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Moore.	Williamson.
Neal.	Woodruff.
Oneal.	Woodward.
Patton.	

Nays—4.

Cousins.	Purl.
Holbrook.	Woodul.

Absent.

Beck.	Martin.
Cunningham.	Parrish.
Hardin.	

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

Senate Bill No. 42.

The Chair laid before the Senate, by unanimous consent, the following bill:

By Senator Purl:

S. B. No. 42, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by cities in the State of Texas having a population of more than one hundred

thousand (100,000) according to the last preceding United States census, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Purl, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 42 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

House Bill No. 43.

The Chair laid before the Senate by unanimous consent, the following bill:

By Mr. Minor:

H. B. No. 42. A bill to be entitled "An Act to repeal Section 17, Chapter 74, of the Local and Special Laws of the Thirty-ninth Legislature, known as an Act to establish a system of public roads and bridges for Denton County, and commonly referred to as the Denton County Road Law."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Woodruff, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 43 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomson.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Hopkins.	Rawlings.
Parr.	

Read third time and finally passed.

Adjournment.

On motion of Senator Purl, the Senate, at 6:05 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, Sept. 14, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 23 carefully examined and compared, and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 36 carefully examined and compared, and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 8 carefully examined and compared, and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 4 carefully examined and compared, and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, Sept. 13, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 12 carefully examined and compared, and find same correctly enrolled.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, Sept. 13, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 16 carefully examined and compared, and find same correctly enrolled.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, Sept. 13, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had C. S. for S. B. No. 17 carefully examined and compared, and find same correctly enrolled.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, Sept. 13, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 18 carefully examined and compared, and find same correctly enrolled.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, Sept. 13, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 19 carefully examined and compared, and find same correctly enrolled.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, Sept. 13, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 22 carefully examined and compared, and find same correctly enrolled.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, Sept. 13, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 28 carefully examined and compared, and find same correctly enrolled.

HOPKINS, Chairman.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 44 carefully examined and compared, and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, Sept. 13, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 39 carefully examined and compared, and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 43, A bill to be entitled "An Act to repeal Section 17, Chap-

ter 74, of the Local and Special Laws of the 39th Legislature, known as an Act to establish a system of public roads and bridges for Denton County, and commonly referred to as the Denton County Road Law."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WILLIAMSON, Chairman.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 59, A bill to be entitled "An Act making it unlawful to take or to kill wild doves or quail for a period of three (3) years in Hall County, Texas; fixing penalty; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 42, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by cities in the State of Texas having a population of more than One Hundred Thousand (100,000) according to the last preceding United States Census, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 53, A bill to be entitled "An Act to amend Chapter 137 of the Special Laws of Texas, Regular Session of the 42nd Legislature, and declaring an emergency."

Have had the same under consid-

eration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that Committee Substitute, "A bill to be entitled An Act to amend Chapter 137 of the Special Laws of Texas, Regular Session of the 42nd Legislature, and declaring an emergency," do pass in lieu thereof and be not printed.

MOORE, Chairman.

C. S. H. B. No. 53.

A BILL

To Be Entitled

An Act to amend Chapter 137 of the Special Laws of Texas, Regular Session of the 42nd Legislature, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 19, Chapter 137 of the Special Laws of the 42nd Legislature, Regular Session, is hereby amended so as to read as follows:

Section 19. Because of the additional duties imposed by this Act and by reason of the fact that under the terms thereof, each Commissioner is required to devote all of his time to the duties of his office, each Commissioner shall receive in addition to the compensation provided by General Law, the sum of Four Hundred Eighty (\$480.00) per annum, payable in monthly installments out of the Road and Bridge Fund of \$40.00 each. He shall also receive his necessary expenses in travelling about the County in the performance of his official duties.

Sec. 2. The importance of this measure to the taxpayers of Bexar County and the crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be and the same is hereby suspended and this Act shall take effect and be in force from and after its passage and it is so enacted.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 68, A bill to be entitled "An Act for the relief of Water Improvement Districts and Water Con-

trol and Improvement Districts and declaring and providing for such districts the power to make contracts with, sell securities to, and borrow money from, the Reconstruction Finance Corporation, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HORNSBY, Chairman.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 67, A bill to be entitled "An Act for the relief of Water Improvement District and Water Control and Improvement Districts, and empowering such Districts without an election to refund outstanding bonded indebtedness including matured and unpaid interest coupons and accrued interest, and prescribing the manner in which and the terms and conditions upon which same may be refunded, and prescribing the duties and functions of the Attorney General and Comptroller of the State in connection with such refunding; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HORNSBY, Chairman.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 62, A bill to be entitled "An Act providing for relief of Needville Independent School District of Fort Bend County in order to aid the school district in rebuilding and repairing its school destroyed by the hurricane which covered the territory in which this district is located on August 13, 1932; making an appropriation to said district for said purposes and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be not printed.

HARDIN, Vice-Chairman.

Committee Room,
Austin, Texas, Sept. 14, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 51, A bill to be entitled "An Act amending Article 2688 of the Revised Civil Statutes of Texas, 1925, as amended by the Regular Session of the 42nd Legislature, H. B. No. 904, Chapter 212, page 426, Special Laws, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following committee amendment:

Amend H. B. No. 51 at the end of Section 1 by striking out the period and adding the following words:

"Upon petition therefor as hereinabove specified."

And be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, Sept. 14, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 44, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes due the State, any county, special school district, school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State. Also cities, towns and villages, provided said taxes are paid on or before December 31, 1932; and providing further that the provisions of this Act releasing interest and penalties shall not apply to cities, towns, and villages unless and until the governing body thereof finds that unusual or excessive defaults in the payment of taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof,

whereupon such governing body by resolution, or ordinance, evidencing such finding and recording the same shall have the authority to put in force and effect the provisions hereof as to such cities, towns, and villages; suspending all laws and parts of laws in conflict herewith during the term this Act is in force; and providing further that, if any section, clause, sentence, paragraph, or part of the Act is adjudged to be invalid by any Court of final or competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this Act, repealing S. B. No. 3, passed at the Third Called Session of the 42nd Legislature, and declaring an emergency, and providing that this Act shall take effect and be in force from and after its passage."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Committee Room,
Austin, Texas, Sept. 14, 1932.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 87, A bill to be entitled "An Act making an appropriation of the sum of Fifty Thousand Dollars (\$50,000.00), or so much thereof as may be necessary, out of the General Revenues, to pay the per diem and mileage of members, the per diem of officers and employees and the contingent expenses of the Third Called Session of the 42nd Legislature of the State of Texas convened on the 30th day of August, 1932, by proclamation of the Governor; to supplement the like appropriation of the Regular Session, First and Second Called Sessions of said Legislature; to pay any unpaid vouchers or warrants held by members, officers or employees of the Regular Session, First and Second Called Sessions of said Legislature; to pay any unpaid claims and accounts of members, officers or employees of said Sessions or of other persons, authorized either by the Senate or the House of Representatives; to pay any and all sums for whatever purpose authorized to be expended by concurrent resolution of the 42nd Legislature at its Regular Session,

First and Second Called Sessions; to pay the per diem of members, officers or employees for pre-session and post-session work of the Third Called Session of said 42nd Legislature; providing how accounts may be approved and audited, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Vice-Chairman.

Committee Room,

Austin, Texas, Sept. 14, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 56, A bill to be entitled "An Act to amend Articles 1111, 1112 and 1113 of the Revised Civil Statutes of Texas for 1925 and amendments thereof as passed by the 40th Legislature, found in Chapter No. 194, page 276, of the Acts of the Regular Session of the 40th Legislature, pertaining to the encumbrance of lighting systems, water systems and sewer systems and income thereof by cities and towns and 'Home Rule' cities; to secure payment of funds for the building and purchasing of improvement thereof, including therein the power to build and encumber natural gas systems and the income thereof for said purposes so that such obligations shall never be a debt upon such cities or towns, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

MOORE, Chairman.

By Farmer and Lockhart. H. B. No. 56.

A BILL

To Be Entitled

An Act to amend Articles 1111, 1112 and 1113 of the Revised Civil Statutes of Texas for 1925 and amendments thereof as passed by the 40th Legislature, found in Chapter No. 194, page 276, of the Acts of the Regular Session of the 40th Legislature, pertaining to the encumbrance of lighting systems, water systems and sewer systems

and income thereof by cities and towns and "Home Rule" cities; to secure payment of funds for the building and purchasing of improvement thereof, including therein the power to build and encumber natural gas systems and the income thereof for said purposes so that such obligations shall never be a debt upon such cities or towns, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1111 of the Revised Civil Statutes of Texas for 1925 and the amendments thereof by the 40th Legislature, be amended so as to be and read as follows:

Article 1111. All cities and towns including Home Rule cities operating under this title shall have power to build and purchase, to mortgage and encumber their light systems, water systems, sewer systems, or natural gas systems, either, or all, and the franchise and income thereof and everything pertaining thereto acquired or to be acquired; to secure the payment of funds to purchase same; or to purchase additional water powers, riparian rights, or to build, improve, enlarge, extend or repair such systems, or any one of them; and as additional security therefor, by the terms of such encumbrance, may grant to the purchaser under sale or foreclosure thereunder, a franchise to operate the systems and properties so purchased for a term of not over twenty (20) years after such purchase, subject to all laws regulating same then in force. No such obligation of any such systems shall ever be a debt of such city or town, but solely a charge upon the properties of the system so encumbered, and shall never be reckoned in determining the power of any such city or town to issue any bonds for any purpose authorized by law.

Sec. 2. That Article 1112 of the Revised Civil Statutes of Texas for 1925 and amendments thereof by the 40th Legislature, be amended so as to be and read as follows:

Article 1112. No such light, water, sewer, or natural gas systems shall ever be sold until such sale is authorized by a majority vote of the qualified voters of such city or town; nor shall same be encumbered for

more than Five Thousand Dollars (\$5,000.00), except for purchase money, or to refund any existing indebtedness, until authorized in like manner. Such vote in either case shall be ascertained at an election, of which notice shall be given in like manner as in cases of the issuance of municipal bonds by such cities and towns.

Sec. 3. That Article 1113 of the Revised Civil Statutes of Texas for 1925 and amendments thereof by the 40th Legislature, be amended so as to be and read as follows:

Article 1113. Whenever the income of any light, water, sewer or natural gas systems shall be encumbered under this law, the expense of operation and maintenance, including all salaries, labor, materials, interest, repairs and extensions, necessary to render efficient service, and every proper item of expense shall always be a first lien and charge against such incomes. The rates charged for services furnished by any such system shall be equal and uniform, and no free service shall be allowed except for city public schools or buildings and institutions operated by such city or town. There shall be charged and collected for such services a sufficient rate to pay for all operating, maintenance, depreciation, replace-

ment, betterment and interest charges, and for interest and sinking fund sufficient to pay any bonds issued to purchase, construct or improve any such systems or any outstanding indebtedness against same. No part of the income of any such system shall ever be used to pay other debt, expense or obligation of such city or town, until the indebtedness so secured shall have been finally paid.

Sec. 4. All laws and parts thereof in conflict herewith are hereby repealed to the extent in conflict herewith.

Sec. 5. The fact that the law prescribing the method of building, acquiring and improving lighting, water and sewer systems of cities and towns without involving the credit of such city and town does not make specific provision in reference to natural gas systems and the importance of making such powers available to such cities and towns that they may be able to combat the natural gas monopoly and thereby lower gas charges, creates an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and said Rule is hereby suspended and that this Act take effect from and after its passage, and it is so enacted.

In Memory
of
Hon. S. M. N. Marrs

Senate Simple Resolution No. 18.

Senator Purl sent up the following resolution:

Whereas, Since the last session of the Forty-second Legislature this State has lost one of its most distinguished citizens and public officials. On April 18, 1932, and at the close of a busy day's work in the cause to which fifty years of his life had been faithfully devoted, Starlin Marion Newberry Marrs laid aside the burdens of life and the responsibilities of a long and eventful public career; and,

Whereas, S. M. N. Marrs was a native of West Virginia. In his early manhood he came to Texas and soon became a conspicuous leader in the educational affairs of his adopted State. On January 16, 1923, he became State Superintendent of Public Instruction. At his death he was serving his fifth two-year term of office, and the progress that the school system of Texas has made during the past two decades, is in large measure attributable to his educational statesmanship and singular devotion to the cause of public education; and, therefore, be it

Resolved, That the Senate of Texas express its appreciation of the distinguished services of S. M. N. Marrs and its profound regret for the loss that the State of Texas has sustained; and, therefore, be it

Resolved further, That a copy of this resolution be forwarded by the Secretary of the Senate to the family of S. M. N. Marrs and that a page of the Senate Journal be set aside in honor of his memory.

PURL.
BECK.
BERKELEY.
COUSINS.
CUNNINGHAM.
DeBERRY.
GAINER.
GREER.
HARDIN.
HOLBROOK.
HOPKINS.

HORNSBY.
LOY.
MARTIN.
MOORE.
NEAL.
ONEAL.
PARR.
PARRISH.
PATTON.
POAGE.
WITT, Lieut.-Gov.

POLLARD.
RAWLINGS.
RUSSEK.
SMALL.
STEVENSON.
THOMASON.
WILLIAMSON.
WOODRUFF.
WOODUL.
WOODWARD.

Read and adopted unanimously by a rising vote.

In Memory
of
Hon. S. R. Crawford

Senate Simple Resolution No. 19.

Senator Oneal sent up the following resolution:

Whereas, The long and useful life of Honorable S. R. Crawford, of Graham, Texas, familiarly called Captain Crawford, came to a peaceful and quiet end at his home within this week; and,

Whereas, Captain Crawford served his district and the State of Texas ably and well in the House of Representatives of the 30th Legislature of Texas; and,

Whereas, For fifty years he, as a citizen of Young County and of West Texas, has contributed to the development and advancement of that section of the State; and,

Whereas, His death has deeply grieved his many friends, and is a distinct loss to the State; therefore, be it

Resolved by the Senate of Texas, That sympathy is hereby extended to the family of Captain Crawford; that a page of the Senate Journal be set aside to his memory; and that a copy of this resolution be by the Secretary of the Senate forwarded to the family.

ONEAL.
BECK.
BERKELEY.
COUSINS.
CUNNINGHAM.
DeBERRY.
GAINER.
GREER.
HARDIN.
HOLBROOK.
HOPKINS.

HORNSBY.
LOY.
MARTIN.
MOORE.
PARRISH.
NEAL.
PARR.
PATTON.
POAGE.
POLLARD.

PURL.
RAWLINGS.
RUSSEK.
SMALL.
STEVENSON.
THOMAS N.
WILLIAMSON.
WOODRUFF.
WOODUL.
WOODWARD.

Read and unanimously adopted.